

Effective 5/12/2015

Part 1
Board of Tourism Development

63N-7-101 Board of Tourism Development.

- (1) This chapter is known as "Tourism Development."
- (2) There is created within the office the Board of Tourism Development.
- (3) The board shall advise the office on the office's planning, policies, and strategies and on trends and opportunities for tourism development that may exist in the various areas of the state.
- (4) The board shall perform other duties as required by Section 63N-7-103.

Renumbered and Amended by Chapter 283, 2015 General Session

63N-7-102 Members -- Meetings -- Expenses.

- (1)
 - (a) The board shall consist of 13 members appointed by the governor to four-year terms with the consent of the Senate.
 - (b) Notwithstanding the requirements of Subsection (1)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that approximately half of the board is appointed every two years.
- (2) The members may not serve more than two full consecutive terms unless the governor determines that an additional term is in the best interest of the state.
- (3) Not more than seven members of the board may be of the same political party.
- (4)
 - (a) The members shall be representative of:
 - (i) all areas of the state with six being appointed from separate geographical areas as provided in Subsection (4)(b); and
 - (ii) a diverse mix of business ownership or executive management of tourism related industries.
 - (b) The geographical representatives shall be appointed as follows:
 - (i) one member from Salt Lake, Tooele, or Morgan County;
 - (ii) one member from Davis, Weber, Box Elder, Cache, or Rich County;
 - (iii) one member from Utah, Summit, Juab, or Wasatch County;
 - (iv) one member from Carbon, Emery, Grand, Duchesne, Daggett, or Uintah County;
 - (v) one member from San Juan, Piute, Wayne, Garfield, or Kane County; and
 - (vi) one member from Washington, Iron, Beaver, Sanpete, Sevier, or Millard County.
 - (c) The tourism industry representatives of ownership or executive management shall be appointed as follows:
 - (i) one member from ownership or executive management of the lodging industry, as recommended by the lodging industry for the governor's consideration;
 - (ii) one member from ownership or executive management of the restaurant industry, as recommended by the restaurant industry for the governor's consideration;
 - (iii) one member from ownership or executive management of the ski industry, as recommended by the ski industry for the governor's consideration; and
 - (iv) one member from ownership or executive management of the motor vehicle rental industry, as recommended by the motor vehicle rental industry for the governor's consideration.
 - (d) One member shall be appointed at large from ownership or executive management of business, finance, economic policy, or the academic media marketing community.

- (e) One member shall be appointed from the Utah Tourism Industry Coalition as recommended by the coalition for the governor's consideration.
- (f) One member shall be appointed to represent the state's counties as recommended by the Utah Association of Counties for the governor's consideration.
- (g)
 - (i) The governor may choose to disregard a recommendation made for a board member under Subsections (4)(c), (e), and (f).
 - (ii) The governor shall request additional recommendations if recommendations are disregarded under Subsection (4)(g)(i).
- (5) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term from the same geographic area or industry representation as the member whose office was vacated.
- (6) Seven members of the board constitute a quorum for conducting board business and exercising board powers.
- (7) The governor shall select one of the board members as chair and one of the board members as vice chair, each for a four-year term as recommended by the board for the governor's consideration.
- (8) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance under Sections 63A-3-106 and 63A-3-107.
- (9) The board shall meet monthly or as often as the board determines to be necessary at various locations throughout the state.
- (10) Members who may have a potential conflict of interest in consideration of fund allocation decisions shall identify the potential conflict prior to voting on the issue.
- (11)
 - (a) The board shall determine attendance requirements for maintaining a designated board seat.
 - (b) If a board member fails to attend according to the requirements established pursuant to Subsection (11)(a), the board member shall be replaced upon written certification from the board chair or vice chair to the governor.
 - (c) A replacement appointed by the governor under Subsection (11)(b) shall serve for the remainder of the board member's unexpired term.
- (12) The board's office shall be in Salt Lake City.

Renumbered and Amended by Chapter 283, 2015 General Session

63N-7-103 Board duties.

- (1) The board:
 - (a) has authority to approve a tourism program of out-of-state advertising, marketing, and branding, taking into account the long-term strategic plan, economic trends, and opportunities for tourism development on a statewide basis, as a condition of the distribution of funds to the office from the:
 - (i) Tourism Marketing Performance Account created in Section 63N-7-301; and
 - (ii) Stay Another Day and Bounce Back Account, created in Section 63N-2-511;
 - (b) shall review office programs to coordinate and integrate advertising and branding themes, which may include recreational, scenic, historic, and tourist attractions of the state, to be used in office programs;

- (c) shall encourage and assist in coordinating activities of persons, firms, associations, corporations, civic groups, and governmental agencies that are engaged in publicizing, developing, and promoting the scenic attractions and tourist advantages of the state; and
 - (d) shall advise the office in establishing a cooperative program using funds from the Tourism Marketing Performance Account created in Section 63N-7-301.
- (2) The board may:
- (a) solicit and accept contributions of money, services, and facilities from any other sources, public or private and shall use these funds for promoting the general interest of the state in tourism; and
 - (b) establish subcommittees for the purpose of assisting the board in an advisory role.
- (3) The board may not, except as otherwise provided in Subsection (1)(a), make policy related to the management or operation of the office.
- (4)
- (a) For each fiscal year, the office shall allocate 20% of the funds appropriated to the Tourism Marketing and Performance Account created in Section 63N-7-301 to the cooperative program described in Subsection (1)(d) and this Subsection (4).
 - (b) Money allocated to the cooperative program may be awarded to cities, counties, nonprofit destination marketing organizations, and similar public entities for the purpose of supplementing money committed by these entities for advertising and promoting sites and events in the state.
 - (c) The office, with approval from the board, shall establish:
 - (i) an application and approval process for an entity to receive a cooperative program award, including an application deadline;
 - (ii) the criteria for awarding a cooperative program award, which shall emphasize attracting out-of-state visitors, and may include attracting in-state visitors, to sites and events in the state; and
 - (iii) eligibility, advertising, timing, and reporting requirements of an entity that receives a cooperative program award.
 - (d) Money allocated to the cooperative program that is not used in each fiscal year shall be returned to the Tourism Marketing Performance Account.

Renumbered and Amended by Chapter 283, 2015 General Session
Amended by Chapter 301, 2015 General Session